

## **REMARKS**

The following remarks are fully and completely responsive to the Office Action dated March 31, 2004. Claims 1-8 are pending in this application. In the outstanding Office Action, claims 1-8 were objected to; claims 6 and 7 were rejected under 35 U.S.C. § 112, second paragraph; and claims 1-2 were rejected under 35 U.S.C. § 103(a). Claims 3-5 and 8 were indicated as containing allowable subject matter, but were objected to as being dependent upon a rejected base claim. No new matter has been added. Claims 1-8 are presented for reconsideration.

### **Claim Objections**

Claims 1-8 were objected to because the Office Action asserted that the preamble of claim 1 was confusing. The preamble of claim 1 has been amended to avoid confusion. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to claims 1-8.

### **35 U.S.C. § 112, Second Paragraph**

Claims 6 and 7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action asserted that in claim 6 “said microphone” lacks clear antecedent basis. Claims 6 and 7 have been amended such that these claims now particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, Applicant respectfully requests

reconsideration and withdrawal of the rejection of claims 6 and 7 under 35 U.S.C. § 112, second paragraph.

**35 U.S.C. § 103(a)**

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sawa et al. (U.S. Patent No. 5,054,115). In making this rejection, the Office Action asserts that this reference teaches and/or suggests the claimed invention.

Claim 1 recites in part:

the first microphone having a first jack capable of supplying an electric power and a second jack for outputting an audio signal, the transmitter comprising:

a first connecting plug which is inserted into said first jack to receive said electric power;

a second connecting plug which is inserted into said second jack to receive said audio signal;

Sawa teaches a portable radio telephone 6 that may be connected to a base station 7 in order to receive power; use an external antenna 9; receive a voice input from an external microphone 75; or provide an audio output to an external speaker 74.

The Office Action asserts that the microphone 75 is the “first microphone” recited in the preamble of claim 1. Microphone 75, however, only outputs an audio signal. Microphone 75 fails to output electric power to either additional unit 7 or to the portable radio device 6. Consequently, microphone 75 cannot teach the first and second jacks recited in claim 1. As illustrated in Figure 2 of Sawa, microphone 75 provides an audio signal via voice circuit 701 and connectors 73 and 67 to voice circuit 601 of the portable radio telephone 6. In contrast, the portable radio telephone 6 receives its power

through either coaxial cable 8 or connectors 73 and 67 from power supply 702 in the additional unit 7. Power supply 702 receives its power from the vehicle's battery.

Accordingly, Sawa fails to teach and/or suggest the claimed invention. Specifically, Sawa fails to teach and/or suggest "An RF transmitter capable of being attached to a first microphone, the first microphone having a first jack capable of supplying electric power and a second jack for outputting an audio signal, the transmitter comprising: a first connecting plug which is inserted into said first jack to receive said electric power". Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. § 103(a).

#### **Allowable Subject Matter**

Claims 3-8 were indicated as containing allowable subject matter. Claims 3-5 and 8 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 6 and 7 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all the limitations of the base claim and any intervening claims. As discussed above, claims 1 and 2 are allowable. Accordingly, claims 3-8, which depend either directly or indirectly from claims 1 or 2, are allowable for at least the reasons discussed above. As discussed above, Applicant's amendments to claims 6 and 7 overcome the rejection of these claims under 35 U.S.C. § 112, second paragraph. Accordingly, Applicant requests reconsideration and withdrawal of the objection to claims 3-8.


## **Conclusion**

Applicant's amendments and remarks have overcome the objections and rejections set forth in the Office Action dated March 31, 2004. Specifically, Applicant's amendment to the preamble of claim 1 overcomes the objection to claims 1-8. Applicant's amendment to claims 6 and 7 overcomes the rejection of these claims under 35 U.S.C. § 112, second paragraph. Applicant's remarks have distinguished claims 1 and 2 from Sawa and thus overcome the rejection of these claims under 35 U.S.C. § 103(a). Claims 3-8 were acknowledged as containing allowable subject matter. Accordingly, claims 1-8 are in condition for allowance. Therefore, Applicant respectfully requests consideration and allowance of claims 1-8.

Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicant hereby petitions for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 100341-00019.

Respectfully submitted,  
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